

Notice of Allowability

Application No.

10/809,987

Applicant(s)

GERSTEL, ORNAN

Examiner

ALEXANDER BOAKYE

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/04/05.
2. ☒ The allowed claim(s) is/are 1,4,5,6,7,8,9,13,14,15,16,34,17-33; renumbered as 1-29 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Claims 1, 4-8, 9, 13, 14, 15, 16, 34, and 17-33 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims. As to claims 1 and 4-8, the prior art of record does not teach signaling local repair of the failure using overhead information of the second hierarchical layer only without flooding throughout the mesh network. As to claims 9, 13-16 and 34, the prior art of record does not teach means for signaling local repair of the failure using overhead information of the second hierarchical layer only without flooding throughout the mesh network.

As to claims 17-24, the prior art of record does not teach a memory storing instructions for execution by the processor, the instructions comprising: code that causes detection of failure of a data communication link defined at second hierarchical layer, wherein the link is employed by a plurality of paths defined at a first hierarchical layer above the second hierarchical layer; code that cause signaling of local repair of the failure using overhead information of the second hierarchical layer; and code that causes switching of only protected ones of the plurality of paths to alternate routes through the network to avoid the failure.

As to claim 25, the prior art of record does not teach code that causes detection of failure of a data communication link defined at second hierarchical layer, wherein the link is employed by a plurality of paths defined at a first hierarchical layer above the second hierarchical layer; code that causes signaling of local repair of the failure using overhead information of the second hierarchical layer below the first hierarchical layer; code that causes switching of only protected ones of the plurality of paths to alternate routes through the network to avoid the failure ; and a computer-readable storage medium that stores the codes. As to claims 26 and 30, the prior art of record does not teach signaling local repair of the failure using overhead information of the second hierarchical layer without flooding throughout the mesh network; and switching only protected ones of the plurality of paths to alternate routes through the network to avoid the failure.

As to claims, 27 and 31, the prior art of record does not teach detecting failure of a data communication link at a second hierarchical layer comprising STS-1 communications, wherein the link is employed by a plurality of paths defined at a first hierarchical layer comprising VT1.5 communications above the second hierarchical layer; signaling local repair of the failure using overhead information of the second hierarchical layer. As to claims 28, 29, 32 and 33, the prior art of record does not teach signaling local repair of the failure using overhead information of the second hierarchical layer; pre-configuring which ones of the plurality of paths are protected; and switching only protected ones of the plurality of paths to alternate routes through the network to avoid the failure. Any comments considered necessary by applicant must be submitted

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no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The fax number is (571) 273-8300. Any inquiry of general nature or relating to the status of this application or proceeding should be directed to Electronic Business Center number 866-217-9197 and 703-305-3028.

Alexander Boakye

Patent Examiner

AB

12/23/05


CHI PHAM
SUPERVISORY PATENT EXAMINER
ELECTRONIC BUSINESS CENTER
12/27/05